## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTELLATION NEWENERGY, INC. : CIVIL ACTION

V.

POWERWEB TECHNOLOGIES, INC. : NO. 02-2733

## ORDER

AND NOW, this day of August, 2003, it is hereby ORDERED that the motion of Powerweb Technologies, Inc. to strike the affidavit of Peter Scarpelli and Section II.A. of the reply memorandum of RETX, Inc. (Document #65) is GRANTED.

BY THE COURT:

J.